

UNITED STATES BANKRUPTCY COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

IN RE: LISA L. MCSHANE-LLOYD : CHAPTER 13
Debtor(s) :
 :
 :
 CHARLES J. DEHART, III :
 STANDING CHAPTER 13 TRUSTEE :
 Movant :
 :
 :
 vs. :
 :
 :
 LISA L. MCSHANE-LLOYD :
 Respondent(s) : CASE NO. 5-19-bk-01520

TRUSTEE'S OBJECTION TO CHAPTER 13 PLAN

AND NOW, this 17th day of June, 2019, comes Charles J. DeHart, III, Standing Chapter 13 Trustee, and objects to the confirmation of the above-referenced debtor(s)' plan for the following reason(s):

1. Debtor(s)' plan violates 11 U.S.C. Sec. 1325(a)(4) in that the value of property to be distributed under the plan on account of each allowed unsecured claim is less than the amount that would be paid on such claim if the estate were liquidated under Chapter 7. More specifically, debtor's have excess non-exempt equity in the following:

a. Residential real estate

2. The Trustee avers that debtor(s)' plan is not feasible based upon the following:

- a. The plan is underfunded relative to claims to be paid.
- b. Plan ambiguous – payment and date for payments is 05/2024.

3. The Trustee provides notice to the Court as to the ineffectiveness of debtor(s) Chapter 13 Plan for the following reasons:

a. Failure to use the Model Plan as adopted by the Court.

WHEREFORE, Trustee alleges and avers that debtor(s) plan is nonconfirmable and therefore Trustee prays that this Honorable Court will:

- a. Deny confirmation of debtor(s) plan.
- b. Dismiss or convert debtor(s) case.
- c. Provide such other relief as is equitable and just.

Respectfully submitted:

/s/Charles J. DeHart, III
Standing Chapter 13 Trustee
8125 Adams Drive, Suite A
Hummelstown, PA 17036

CERTIFICATE OF SERVICE

AND NOW, this 17th day of June, 2019, I hereby certify that I have served the within Objection by electronically notifying parties or by depositing a true and correct copy of the same in the United States Mail at Harrisburg, Pennsylvania, postage prepaid, first class mail, addressed to the following:

Shane Hobbs, Esquire
4 South 2nd Street, #303
Pottsville, PA 17901

/s/Deborah A. Behney
Office of Charles J. DeHart, III
Standing Chapter 13 Trustee